Congress of the United States
House of Representatives
Washington, DC 20515

June 23, 2010

The Honorable Hillary Clinton
Secretary of State
2201 C Street N.W.
Washington, D.C. 20520

Dear Madam Secretary:

As members of the House of Representatives who are concerned with the public health and the preservation of our natural resources and environment, we write to express our concern regarding the permitting process for TransCanada's proposed Keystone XL tar sands oil pipeline. This pipeline would deliver up to 900,000 barrels per day of tar sands oil from Alberta, Canada over 2,000 miles to refineries on the U.S. Gulf Coast, more than doubling U.S. consumption of tar sands oil. Because the issuance of a presidential permit to build this pipeline would have significant energy and environment implications for our nation for many years to come, we believe the permitting process should be done with the full consideration of the Administration's clean energy and climate change priorities.

To issue a presidential permit for this pipeline, the Department of State must determine whether the project is in the national interest, and a complete Environmental Impact Statement (EIS) should inform this determination. However, the Department of State recently released a Draft EIS for the pipeline that does not adequately consider the project's climate change impacts.

We believe that a full lifecycle assessment of the greenhouse gas emissions for tar sands would provide the Department of State with necessary information to determine whether issuing a presidential permit for the pipeline is consistent with the Administration's clean energy and climate change priorities. Numerous scientific studies have found tar sands oil to produce much higher lifecycle greenhouse gas emissions than convention oil.

Further, we also believe that given the Administration's commitment to transparency, it is important for the Department of State to clearly and openly articulate its criteria for weighing the pipeline's climate change impacts against other considerations. At present, our understanding is that the determination of national interest is a highly discretionary process. We believe a decision that could have substantial implications for America's clean energy future should be made with the same level of transparency that the Administration has exercised in other matters.

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Therefore, we request that the permitting process continue after the following conditions are adequately developed, assessed, and incorporated:

- The Council on Environmental Quality's pending National Environmental Policy Act (NEPA) Guidance on the Consideration of the Effects of Climate Change and Greenhouse Gas Emissions should be applied to this project. The permitting process for this pipeline, which will likely have significant greenhouse gas and climate change implications, should not proceed until this guidance is finalized and can be reviewed and incorporated into the EIS.

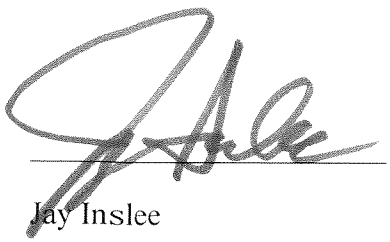
- The Environmental Protection Agency should conduct a comprehensive life-cycle greenhouse gas assessment for tar sands oil. We should only move forward after this assessment is complete and the full impact of tar sands oil can be understood.

- The Department of State should collaborate closely with the Council on Environmental Quality to ensure that a robust and transparent inter-agency review process is conducted, as directed by Executive Order 13337. This will help ensure that all agencies with relevant expertise can participate and that the full environmental and social impacts of this project are adequately assessed.

- The Department of State should develop specific criteria for weighing the pipeline's climate change impacts against other considerations in making its determination of national interest. These criteria should be developed through a transparent inter-agency process.

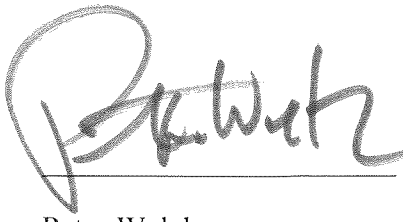
As members of Congress, we are bound to protect the national interest of this country and its citizens. Building this pipeline has the potential to undermine America's clean energy future and international leadership on climate change; we ask that the Department of State exercise due diligence in its permitting process for Keystone XL, carefully weighing all impacts of the project.

Sincerely,



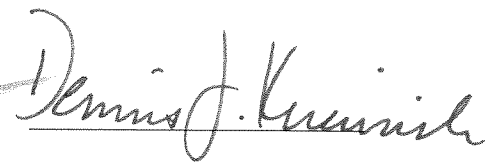
Jay Inslee

Member of Congress



Peter Welch

Member of Congress



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